

**CITY OF EAST PROVIDENCE
PLANNING BOARD**

MINUTES

Date: Monday, September 22, 2015

Time: 7:00 PM

Place: Senior Center, 610 Waterman Avenue, East Providence, RI 02914

1. CALL TO ORDER

The meeting was called to order at 7:05 PM. Board members present: Chairman Michael P. Robinson, Christopher Grant, Michelle Rockwell and Octavio Cunha. Staff members present: Planning Director Jeanne M. Boyle, City Engineer Erik Skadberg, Solicitor Timothy Chapman and Senior Planner Patrick Hanner.

2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

3. SEATING OF ALTERNATE MEMBER

Mr. Cunha and Mr. Grant were seated as voting members.

4. APPROVAL OF PLANNING BOARD MINUTES

On a motion by Ms. Rockwell, seconded by Mr. Grant, the Board voted 4-0 to adopt the May 11, 2015 minutes. Chairman Robinson noted that the minutes of August 13, 2015, July 13, 2015 and March 30, 2015 are to be submitted.

5. APPROVAL OF PLANNING BOARD CORRESPONDENCE

None

6. NEW BUSINESS

A. Request to amend the City's Zoning Map and Comprehensive Plan (enclosure)

Zoning Map Amendment, Map 307, block 23, Parcels 2 and 3

Applicant/Owner: Perry-McStay Funeral Home, Inc.

Street location: 2555 Pawtucket Avenue (Parcel 2)

Request to change zoning from Commercial -1 to Commercial - 2

Applicant/Owner: Perry-McStay Funeral Home, Inc.

Street location: Vacant parcel (Parcel 3)

Request to change zoning from Residential - 4 to Commercial - 2

Comprehensive Plan Amendment (Map 307, block 23, Parcels 2 and 3

Applicant/Owner: Perry-McStay Funeral Home, Inc.

Street location: 2555 Pawtucket Avenue (parcel 2) and vacant parcel (parcel 3)

Request to change designation from “Medium density residential” to “Office/services”

Chairman Robinson requested the applicant to present the proposal to the Board. William C. Maaia, Esq. introduced the development team: Lauren E. Vandervelde, Esq., George H. Gifford, LA, David D’Amico, PE and Joseph Lombardo, AICP. Mr. Maaia gave a brief description of the proposal, and the history of the site and the Perry-McStay Funeral Home. George H. Gifford, LA was sworn in and gave a detail description of the proposed parking facility that included a description of the proposed landscape buffer, plant species, snow storage and lighting. Chairman Robinson asked if a stockade fence is proposed to be installed along the rear lot lines of parcel 2 as stated in Planning Department’s memorandum. Mr. Gifford responded that it is an appropriate request by the Planning Department to require a stockade fence to be installed along the rear property lines of parcel 2. Ms. Boyle stated that the plan set should be amended to show the installation of a stockade fence along the rear property lines of parcel 2.

David D’Amico, PE was sworn in and gave a detail description of the proposed grading, retaining wall, drainage, soil characteristics and maintenance needs of the pervious pavement. Chairman Robinson asked if the owner is willing to undertake the maintenance needs of the pervious pavement. William C. Maaia, Esq. and David D’Amico, PE confirmed that the owner will perform the maintenance needs for the previous pavement.

Joseph Lombardo, AICP was sworn in and gave a summary of the submitted planning report that addressed the Comprehensive Plan consistency, zoning and character of the surrounding area. Mr. Lombardo identified several of the City’s Comprehensive Plan goal and policy statements that support the project. Mr. Lombardo concluded that in his opinion, the proposal is fully compatible to the City’s Comprehensive Plan.

Patrick Hanner gave a summary of the Staff’s memorandum. Mr. Hanner stated that the Planning Department concurs with the findings made in the planning report that was prepared by Joseph Lombardo, AICP. Specifically, that the proposal is consistent with the standards of section 19-2 and is consistent with the Comprehensive Plan. Chairman Robinson requested clarification of the required finding that states a proposed Comprehensive Plan must not be solely for the good or benefit of a particular owner. Ms. Boyle responded that the proposal will not only benefit the owner but also the immediate neighborhood by addressing stormwater runoff and alleviate parking on the nearby residential streets during large funeral events. Mr. Maaia asked City Solicitor Timothy Chapman if the purpose of the reverter clause is for the parking facility to return to its original zoning only if the parking facility is not constructed or is the purpose to ensure that a future owner must seek the approval of the City if it is used for any other use rather than a parking facility that serves the funeral home. Mr. Chapman responded that there are a number of different types of conditions that can be placed on a reverter clause.

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Chairman Robinson asked if there was anyone from the public that would like the opportunity to comment. David O'Connell of 229 Brightridge Avenue stated that the funeral home has been an excellent neighbor and they have always maintained their landscaping. In his opinion the proposed parking facility would alleviate on-street parking.

Shirley Prisco is a resident of 201 Woodlawn Avenue and an owner of 238 Brightridge Avenue. Ms. Prisco is an immediate abutter of the funeral home and stated that the funeral home has not maintained their landscape along their rear property line, specifically an existing chain link fence. The concern is that the proposed fence and landscaping may not be maintained in the future.

John Prisco of 238 Brightridge Avenue stated that the existing chain link fence was damaged by a vehicle and it was never repaired by the funeral home. Mr. Prisco requested that the existing trees on the adjacent property are not disturbed.

Chairman Robinson asked Mr. Maaia if the owner would be willing to agree to maintain the proposed stockade fence. Mr. Maaia responded that the new fence will require very little maintenance, and that the owner agrees to maintain the proposed stockade fence.

Christopher Grant requested clarification of the exact location of the trees that were mentioned by John Prisco. Mr. D'Amico responded that 3 trees are located on parcel 3 in vicinity of the rear property line and that they are proposed to be removed. Mr. Gifford stated that preserving the trees would not allow the proposed arborvitaes to mature into a dense landscaped wall.

On a motion made by Mr. Grant, seconded by Mr. Cunha, the Board voted 4-0 to enter following documents into the record:

1. Planning Department's memorandum w/attachments, dated September 18, 2015
2. Plan set
3. Planning Report prepared by Joseph D. Lombardo, AICP dated July 2, 2015
4. Landscape Narrative, prepared by The Gifford Design Group, Inc., dated July 2015
5. Letter from W. Maaia and L. Vandervelde, dated July 2, 2015
6. Zoning map application form
7. Lighting handout provided by George Gifford
8. Photographs submitted by Shirley Prisco
9. Letter from Shirley Prisco, dated September 9, 2015

On a motion by Ms. Rockwell, seconded by Mr. Grant, the Board voted 4-0 that prior to the rezone and Comprehensive Plan amendment appearing before the City Council, the applicant shall submit a title report for parcels 2 and 3.

On a motion by Ms. Rockwell, seconded by Mr. Cunha, the Board voted 4-0 to recommend to the City Council to change the Comprehensive Plan designation from "Medium density residential" to "Office/services" for parcel 2 (2555 Pawtucket Avenue) and parcel 3 (vacant parcel), based upon the following condition that the use of parcel 3 (vacant parcel) is restricted to a parking facility that is an accessory use to the funeral home located at map 307, block 23 parcel 2 (2555 Pawtucket Avenue) and further, that in the event parcel 3 is not developed into or used as a parking facility, the Comprehensive Plan

designation of parcel 3 would revert to its original status as a “Medium density residential” designated on the generalized land use map of the City’s Comprehensive Plan, and further to recommend to the City Council to approve the applicant’s request to rezone parcel 2 (2555 Pawtucket Avenue) from a Commercial – 1 to a Commercial – 2, and parcel 3 (vacant parcel) from a Residential – 4 to a Commercial - 2 based upon the finding that the applicant’s request is consistent with the Comprehensive Plan and that positive findings were found of the standards of section 19-2 of Zoning, based upon the following conditions:

- That the use of parcel 3 (vacant parcel) is restricted to a parking facility that is an accessory use to the funeral home located at map 307, block 23 parcel 2 (2555 Pawtucket Avenue);
- In the event parcel 3 is not developed into or used as a parking facility, parcel 3 would revert to its original status as a Residential – 4 designation on the City’s official zoning map;
- That the entire length of the existing chain link fence along the rear property line of parcel 2 (2555 Pawtucket Avenue) is removed and replaced with a stockade fence for a distance of approximately 165 feet;
- That all of the site improvements are installed as shown on the plan set titled, “Perry/McStay Funeral Home, Proposed Parking Lot Addition” last revision date September 9, 2015;
- That a maintenance plan is submitted by the applicant that addresses maintenance needs of the proposed parking facility for parcel 3 and maintenance of the stockade fence to be installed along the properties lines of parcels 2 and 3.

7. CONTINUED BUSINESS

On a motion by Mr. Grant, seconded by Mr. Cunha the Board voted 4-0 to grant the applicant’s request to continue the Rounds Avenue Minor Subdivision, Application # 2015-07-Minor to October 13, 2015 Planning Board meeting.

8. DRAFT CHAPTERS OF THE COMPREHENSIVE PLAN

Ms. Boyle noted that comments were received from Planning Board member Krista Moravec.

9. OTHER BUSINESS

Chairman Robinson announced that a workshop sponsored by Statewide Planning will be held on November 30, 2015 with topics being Comprehensive Planning and State Guide Plans. Two members of either the Planning Board or Planning Department may attend.

10. STAFF REPORT

Ms. Boyle gave a brief description of current development project.

11. ANNOUNCEMENT

Next Meeting: Tuesday, October 13, 2015 at 7:00 pm in room 306.

13. ADJOURNMENT

On a motion by Mr. Grant, seconded by Mr. Cunha, the meeting was adjourned at 8:45 pm.